

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**JERRY TOMLISON,  
et al.,**

**Plaintiffs,**

**vs.**

**Case No. C2-03-706  
Judge Edmund A. Sargus, Jr.  
Magistrate Judge Mark R. Abel**

**KROGER CO.,  
et al.,**

**Defendants.**

**DOCKET ADMINISTRATION ORDER**

The parties informed the Court in July, 2008 that they had reached a compromise in this case. On September 5, 2008, the Court directed the parties to file their settlement documents in this class action by September 30, 2008. Counsel for Plaintiffs contacted the Court on September 29, 2008 and indicated that the parties need additional time to complete the necessary paperwork before submitting the documents for the Court's consideration.

Because of the age of this case and because the Court can take no further action until the parties provide their proposed settlement documents, this case will be ADMINISTRATIVELY CLOSED. This Order is entered for administrative purposes only; nothing in this Order inhibits the parties' ability to present their motions related to settlement and a fairness hearing to the Court for consideration. Should the Court decline to accept the parties' class-action settlement, the case will be reactivated.

**IT IS SO ORDERED.**

9-30-2008  
**DATED**

  
**EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE**